

United States Bankruptcy Court
Western District of New York

In re:
The Diocese of Rochester
Debtor

Case No. 19-20905-PRW
Chapter 11

District/off: 0209-2
Date Rcvd: Oct 23, 2023

User: admin
Form ID: pdfattch

Page 1 of 10
Total Noticed: 1

CERTIFICATE OF NOTICE

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 25, 2023:

Recip ID **Recipient Name and Address**
Iain A.W. Nasatir, Esq., 780 Third Avenue, 36th Floor, New York, NY 10017-2024

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 25, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 23, 2023 at the address(es) listed below:

Name	Email Address
Adam Horowitz	on behalf of Creditor Certain Sexual Abuse Claimants adam@adamhorowitzlaw.com
Adam Horowitz	on behalf of Notice of Appearance Creditor Sexual Abuse Survivor/Creditor adam@adamhorowitzlaw.com
Adam Horowitz	on behalf of Creditor 31 Claimants adam@adamhorowitzlaw.com
Adam Horowitz	on behalf of Attorney Horowitz Law Claimants adam@adamhorowitzlaw.com
Amy Keller	on behalf of Defendant AB 100 Doe et al akeller@lglaw.com, sfischer@lglaw.com
Amy Keller	on behalf of Creditor Certain Sexual Abuse Claimants akeller@lglaw.com sfischer@lglaw.com
Andrew Mina	on behalf of Interested Party London Market Insurers amina@duanemorris.com
Annette Rolain	on behalf of Interested Party First State Insurance Company arolain@rugerilaw.com

Betty Luu on behalf of Interested Party London Market Insurers bluu@duanemorris.com

Brianna M Espeland on behalf of Notice of Appearance Creditor Brian S. Delafranier brianna@jvwlaw.net

Brianna M Espeland on behalf of Creditor Kenneth Cubotti brianna@jvwlaw.net

Brittany Mitchell Michael on behalf of Notice of Appearance Creditor Official Committee of Unsecured Creditors bmichael@pszjlaw.com

Camille W. Hill on behalf of Debtor The Diocese of Rochester chill@bsk.com ayerst@bsk.com;kdoner@bsk.com;CourtMail@bsk.com

Carol Dupre caroldopray61@yahoo.com

Catalina Sugayan on behalf of Defendant CX Reinsurance Company Limited catalina.sugayan@clydeco.us Nancy.Lima@clydeco.us

Catalina Sugayan on behalf of Defendant Certain Underwriters at Lloyd's London catalina.sugayan@clydeco.us, Nancy.Lima@clydeco.us

Catalina Sugayan on behalf of Interested Party London Market Insurers catalina.sugayan@clydeco.us Nancy.Lima@clydeco.us

Catalina Sugayan on behalf of Defendant HDI Global Specialty SE catalina.sugayan@clydeco.us Nancy.Lima@clydeco.us

Catalina Sugayan on behalf of Defendant Markel International Insurance Company Limited catalina.sugayan@clydeco.us Nancy.Lima@clydeco.us

Catalina Sugayan on behalf of Interested Party HDI Global Specialty SE catalina.sugayan@clydeco.us Nancy.Lima@clydeco.us

Catalina Sugayan on behalf of Interested Party Certain Underwriters at Lloyd's London catalina.sugayan@clydeco.us, Nancy.Lima@clydeco.us

Catalina Sugayan on behalf of Defendant Tenecom Limited catalina.sugayan@clydeco.us Nancy.Lima@clydeco.us

Catalina Sugayan on behalf of Defendant Certain London Market Companies catalina.sugayan@clydeco.us Nancy.Lima@clydeco.us

Catalina Sugayan on behalf of Defendant The Dominion Insurance Company Limited catalina.sugayan@clydeco.us Nancy.Lima@clydeco.us

Catherine Beideman Heitzenrater on behalf of Creditor The Chubb Companies cheitzenrater@duanemorris.com

Charles Edwin Jones on behalf of Defendant Interstate Fire & Casualty Company charles.jones@lawmoss.com Brenda.murphy@lawmoss.com

Charles Edwin Jones on behalf of Notice of Appearance Creditor National Surety Corporation charles.jones@lawmoss.com Brenda.murphy@lawmoss.com

Charles Edwin Jones on behalf of Notice of Appearance Creditor Interstate Fire and Casualty Company charles.jones@lawmoss.com Brenda.murphy@lawmoss.com

Charles Edwin Jones on behalf of Interested Party National Surety Corporation charles.jones@lawmoss.com Brenda.murphy@lawmoss.com

Charles Edwin Jones on behalf of Interested Party Interstate Fire and Casualty Company charles.jones@lawmoss.com Brenda.murphy@lawmoss.com

Charles J. Sullivan on behalf of Plaintiff The Diocese of Rochester csullivan@bsk.com kdoner@bsk.com;jhunold@bsk.com;CourtMail@bsk.com

Charles J. Sullivan on behalf of Debtor The Diocese of Rochester csullivan@bsk.com kdoner@bsk.com;jhunold@bsk.com;CourtMail@bsk.com

Charles J. Sullivan on behalf of Creditor Claimant MM csullivan@bsk.com kdoner@bsk.com;jhunold@bsk.com;CourtMail@bsk.com

Craig Goldblatt on behalf of Notice of Appearance Creditor Continental Insurance Company craig.goldblatt@wilmerhale.com

Craig Goldblatt on behalf of Interested Party Continental Insurance Company craig.goldblatt@wilmerhale.com
Danielle Spinelli on behalf of Notice of Appearance Creditor Continental Insurance Company danielle.spinelli@wilmerhale.com
David C. Christian, II on behalf of Interested Party Continental Insurance Company dchristian@dca.law
David C. Christian, II on behalf of Notice of Appearance Creditor Continental Insurance Company dchristian@dca.law
Deola T. Ali on behalf of Creditor Certain Sexual Abuse Claimants dali@awtxlaw.com
Devin L. Palmer on behalf of Notice of Appearance Creditor Catholic Charities of the Diocese of Rochester dpalmer@boylancode.com
dpalmer@boylancode.com;sciaccia@boylancode.com;rmarks@boylancode.com
Devin L. Palmer on behalf of Notice of Appearance Creditor Camp Stella Maris of Livonia dpalmer@boylancode.com
dpalmer@boylancode.com;sciaccia@boylancode.com;rmarks@boylancode.com
Devin L. Palmer on behalf of Notice of Appearance Creditor Catholic Youth Organization dpalmer@boylancode.com
dpalmer@boylancode.com;sciaccia@boylancode.com;rmarks@boylancode.com
Devin L. Palmer on behalf of Notice of Appearance Creditor St. Joseph's Villa dpalmer@boylancode.com
dpalmer@boylancode.com;sciaccia@boylancode.com;rmarks@boylancode.com
Diane Paolicelli on behalf of Creditor ORLANDO RIVERA dpaolicelli@p2law.com
Diane Paolicelli on behalf of Creditor 065 -Claimant (Creditor) dpaolicelli@p2law.com
Diane Paolicelli on behalf of Creditor 528 - Claimant (Creditor) dpaolicelli@p2law.com
Diane Paolicelli on behalf of Creditor PC-33 DOE dpaolicelli@p2law.com
Diane Paolicelli on behalf of Creditor LCVAWCR DOE dpaolicelli@p2law.com
Diane Paolicelli on behalf of Creditor 198 - Claimant (Creditor) dpaolicelli@p2law.com
Dirk C. Haarhoff on behalf of Defendant Colonial Penn Insurance Company dchaarhoff@kslnlaw.com
Dirk C. Haarhoff on behalf of Notice of Appearance Creditor Colonial Penn Insurance Company dchaarhoff@kslnlaw.com
Dirk C. Haarhoff on behalf of Notice of Appearance Creditor Swiss Re America Corporation as Administrator dchaarhoff@kslnlaw.com
Elin Lindstrom on behalf of Notice of Appearance Creditor Jeff Anderson & Associates elin@andersonadvocates.com
therese@andersonadvocates.com
Eric John Ward on behalf of Notice of Appearance Creditor Catholic Youth Organization eward@wardgreenberg.com
Eric John Ward on behalf of Notice of Appearance Creditor Camp Stella Maris of Livonia eward@wardgreenberg.com
Eric John Ward on behalf of Notice of Appearance Creditor St. Joseph's Villa eward@wardgreenberg.com
Eric John Ward on behalf of Notice of Appearance Creditor Catholic Charities of the Diocese of Rochester eward@wardgreenberg.com
Garry M. Gruber on behalf of Notice of Appearance Creditor Manufacturers and Traders Trust Company ggruber@hodgsonruss.com
mheftka@hodgsonruss.com;cnapiers@hodgsonruss.com
Gerard Sweeney on behalf of Creditor CC 403 gkosmakos@srb lawfirm.com
Gerard Sweeney on behalf of Creditor Claimants Certain Sexual Abuse gkosmakos@srb lawfirm.com

Grayson T. Walter on behalf of Debtor The Diocese of Rochester gwalter@bsk.com kdoner@bsk.com;CourtMail@bsk.com

Grayson T. Walter on behalf of Plaintiff The Diocese of Rochester gwalter@bsk.com kdoner@bsk.com;CourtMail@bsk.com

Harris Winsberg on behalf of Defendant National Surety Corporation hwinsberg@phrd.com

Harris Winsberg on behalf of Interested Party National Surety Corporation hwinsberg@phrd.com

Harris Winsberg on behalf of Notice of Appearance Creditor Interstate Fire and Casualty Company hwinsberg@phrd.com

Harris Winsberg on behalf of Defendant Interstate Fire & Casualty Company hwinsberg@phrd.com

Harris Winsberg on behalf of Interested Party Interstate Fire and Casualty Company hwinsberg@phrd.com

Harris Winsberg on behalf of Notice of Appearance Creditor National Surety Corporation hwinsberg@phrd.com

Ilan D Scharf on behalf of Intervenor Official Committee of Unsecured Creditors ischarf@pszjlaw.com lcanty@pszjlaw.com;nrobinson@pszjlaw.com;bdassa@pszjlaw.com

Ilan D Scharf on behalf of Notice of Appearance Creditor Official Committee of Unsecured Creditors ischarf@pszjlaw.com lcanty@pszjlaw.com;nrobinson@pszjlaw.com;bdassa@pszjlaw.com

Ilan D Scharf on behalf of Attorney Pachulski Stang Ziehl & Jones LLP ischarf@pszjlaw.com lcanty@pszjlaw.com;nrobinson@pszjlaw.com;bdassa@pszjlaw.com

Ilan D Scharf on behalf of Creditor Committee Official Committee of Unsecured Creditors ischarf@pszjlaw.com lcanty@pszjlaw.com;nrobinson@pszjlaw.com;bdassa@pszjlaw.com

Ingrid S. Palermo on behalf of Debtor The Diocese of Rochester ipalermo@bsk.com kdoner@bsk.com;aparris@bsk.com

Isley Markman Gostin on behalf of Notice of Appearance Creditor Continental Insurance Company isley.gostin@wilmerhale.com

Isley Markman Gostin on behalf of Interested Party Continental Insurance Company isley.gostin@wilmerhale.com

James Carter, Jr on behalf of Special Counsel Blank Rome LLP jscarter@blankrome.com

James I. Stang on behalf of Creditor Committee Official Committee of Unsecured Creditors jstang@pszjlaw.com

James K.T. Hunter on behalf of Creditor Committee Official Committee of Unsecured Creditors jhunter@pszjlaw.com

James Pio Ruggeri on behalf of Interested Party First State Insurance Company jruggeri@rugerilaw.com

James R Marsh on behalf of Creditor M.G. jamesmarsh@marsh.law

James R Marsh on behalf of Creditor R.O. jamesmarsh@marsh.law

James R Marsh on behalf of Creditor Claimant MM jamesmarsh@marsh.law

James R Marsh on behalf of Creditor Claimant Creditors Marsh Law Firm jamesmarsh@marsh.law

James R Marsh on behalf of Creditor 31 Claimants jamesmarsh@marsh.law

James R Marsh on behalf of Creditor S. B. jamesmarsh@marsh.law

James R Marsh on behalf of Creditor Certain Sexual Abuse Claimants jamesmarsh@marsh.law

James R Marsh

on behalf of Creditor MLF-PCVA Creditors jamesmarsh@marsh.law
James R Marsh
on behalf of Creditor S.B. jamesmarsh@marsh.law
James R Murray
on behalf of Special Counsel Blank Rome LLP jmurray@blankrome.com, edocketing@blankrome.com
James R Murray
on behalf of Special Counsel James R Murray jmurray@blankrome.com edocketing@blankrome.com
Jarrod W. Smith
on behalf of Notice of Appearance Creditor Donna Oppedisano jarrodsmitlawn@gmail.com
Jarrod W. Smith
on behalf of Creditor Donna Oppedisano jarrodsmitlawn@gmail.com
Jarrod W. Smith
on behalf of Notice of Appearance Creditor Kathleen Israel jarrodsmitlawn@gmail.com
Jarrod W. Smith
on behalf of Creditor Kathleen Israel jarrodsmitlawn@gmail.com
Jeff Kahane
on behalf of Interested Party London Market Insurers jkahane@duanemorris.com
Jeffrey Austin Dove
on behalf of Defendant The Continental Insurance Company jdove@barclaydamon.com
avrooman@barclaydamon.com.jeffrey-dove-1212@ecf.pacerpro.com
Jeffrey Austin Dove
on behalf of Interested Party Continental Insurance Company jdove@barclaydamon.com
avrooman@barclaydamon.com.jeffrey-dove-1212@ecf.pacerpro.com
Jeffrey Austin Dove
on behalf of Notice of Appearance Creditor Continental Insurance Company jdove@barclaydamon.com
avrooman@barclaydamon.com.jeffrey-dove-1212@ecf.pacerpro.com
Jeffrey D. Eaton
on behalf of Debtor The Diocese of Rochester jeaton@bsk.com kdoner@bsk.com;tayers@bsk.com;CourtMail@bsk.com
Jesse Bair
on behalf of Special Counsel Burns Bowen Bair LLP jbair@burnsbair.com kdempski@burnsbair.com
Jesse Bair
on behalf of Creditor Committee Official Committee of Unsecured Creditors jbair@bbblawllp.com kdempski@burnsbair.com
Jesse Bair
on behalf of Notice of Appearance Creditor Official Committee of Unsecured Creditors jbair@burnsbair.com
kdempski@burnsbair.com
John Bucheit
on behalf of Defendant National Surety Corporation jbucheit@phrd.com ssnead@phrd.com
John Bucheit
on behalf of Interested Party National Surety Corporation jbucheit@phrd.com ssnead@phrd.com
John Bucheit
on behalf of Interested Party Interstate Fire and Casualty Company jbucheit@phrd.com ssnead@phrd.com
John Bucheit
on behalf of Defendant Interstate Fire & Casualty Company jbucheit@phrd.com ssnead@phrd.com
John A. Mueller
on behalf of Notice of Appearance Creditor Monroe County jmueller@lippes.com jtenczar@lippes.com
Joshua D Weinberg
on behalf of Interested Party First State Insurance Company jweinberg@rugerilaw.com
Judith Treger Shelton
on behalf of Notice of Appearance Creditor Colonial Penn Insurance Company jtshelton@kslnlaw.com
Judith Treger Shelton
on behalf of Defendant Colonial Penn Insurance Company jtshelton@kslnlaw.com
Judith Treger Shelton
on behalf of Notice of Appearance Creditor Swiss Re America Corporation as Administrator jtshelton@kslnlaw.com
Kaitlin M. Calov
on behalf of Notice of Appearance Creditor Colonial Penn Insurance Company kcalov@wwmlawyers.com
jvail@walkerwilcox.com
Kaitlin M. Calov

on behalf of Notice of Appearance Creditor Swiss Re America Corporation as Administrator kcalov@wwmlawyers.com jvail@walkerwilcox.com

Kaitlin M. Calov on behalf of Defendant Colonial Penn Insurance Company kcalov@wwmlawyers.com jvail@walkerwilcox.com

Katerina Marie Kramarchyk on behalf of Notice of Appearance Creditor Catholic Charities of the Diocese of Rochester kkramarchyk@wardgreenberg.com

Katerina Marie Kramarchyk on behalf of Notice of Appearance Creditor St. Joseph's Villa kkramarchyk@wardgreenberg.com

Katerina Marie Kramarchyk on behalf of Notice of Appearance Creditor Camp Stella Maris of Livonia kkramarchyk@wardgreenberg.com

Katerina Marie Kramarchyk on behalf of Notice of Appearance Creditor Catholic Youth Organization kkramarchyk@wardgreenberg.com

Kathleen Thomas on behalf of Notice of Appearance Creditor Sexual Abuse Survivor/Creditor kat@tlclawllc.com

Kathleen Thomas on behalf of Creditor Certain Sexual Abuse Claimants kat@tlclawllc.com

Kathleen Thomas on behalf of Creditor J. O. kat@tlclawllc.com

Kathleen Dunivin Schmitt USTPRegion02.RO. ECF@USDOJ.GOV

Kelly McNamee on behalf of Interested Party Gannett Co. Inc. mcnameek@gtlaw.com

Lauren Lifland on behalf of Notice of Appearance Creditor Continental Insurance Company lauren.lifland@wilmerhale.com

Leander Laurel James, IV on behalf of Creditor Kenneth G. Cubiotti ljamess@jvwlaw.net Lucia@jvwlaw.net

Leander Laurel James, IV on behalf of Creditor GM127 DOE ljamess@jvwlaw.net Lucia@jvwlaw.net

Leander Laurel James, IV on behalf of Interested Party Kenneth Cubiotti ljamess@jvwlaw.net Lucia@jvwlaw.net

Leander Laurel James, IV on behalf of Creditor MG133 DOE ljamess@jvwlaw.net Lucia@jvwlaw.net

Leander Laurel James, IV on behalf of Creditor CW187 DOE ljamess@jvwlaw.net Lucia@jvwlaw.net

Leander Laurel James, IV on behalf of Creditor Kenneth Cubiotti ljamess@jvwlaw.net Lucia@jvwlaw.net

Leander Laurel James, IV on behalf of Creditor JP185 DOE ljamess@jvwlaw.net Lucia@jvwlaw.net

Leander Laurel James, IV on behalf of Notice of Appearance Creditor Kenneth G. Cubiotti ljamess@jvwlaw.net Lucia@jvwlaw.net

Lee E. Woodard on behalf of Special Counsel Harris Beach PLLC bkemail@harrisbeach.com
efilings@harrisbeach.com;broy@harrisbeach.com;bmahoney@HarrisBeach.com;KMeans@HarrisBeach.com

Lucien A. Morin, II on behalf of Notice of Appearance Creditor Amaryllis Figueroa lmorin@mccmlaw.com
lmorinzmc@aol.com;jcole@mccmlaw.com;kruegermr74613@notify.bestcase.com

M. Paul Gorfinkel on behalf of Notice of Appearance Creditor Interstate Fire and Casualty Company paul.gorfinkel@rivkin.com

Mark D. Plevin on behalf of Interested Party Continental Insurance Company mplevin@crowell.com

Mary Jo Korona on behalf of Notice of Appearance Creditor Bishop Emeritus Matthew H. Clark mkorona@adamsleclair.law
sarahi@leclairkorona.com

Matthew Roberts on behalf of Defendant Interstate Fire & Casualty Company mroberts@phrd.com

Matthew Roberts on behalf of Interested Party National Surety Corporation mroberts@phrd.com

Matthew Roberts on behalf of Interested Party Interstate Fire and Casualty Company mroberts@phrd.com
Matthew Roberts on behalf of Defendant National Surety Corporation mroberts@phrd.com
Matthew Griffin Merson on behalf of Notice of Appearance Creditor Merson Law PLLC mmerson@mersonlaw.com
Matthew John Obiala, I on behalf of Interested Party London Market Insurers matt.obiala@clydeco.us
Matthew Michael Weiss on behalf of Interested Party National Surety Corporation mweiss@phrd.com
Matthew Michael Weiss on behalf of Interested Party Interstate Fire and Casualty Company mweiss@phrd.com
Melanie Wolk on behalf of Notice of Appearance Creditor Sexual Abuse Survivor/Creditor mwolk@trevettcristo.com rkernan@trevettcristo.com;czimmermann@trevettcristo.com
Michael Finnegan on behalf of Defendant AB 100 Doe et al mike@andersonadvocates.com, therese@andersonadvocates.com,erin@andersonadvocates.com
Michael Finnegan on behalf of Creditor Certain Sexual Abuse Claimants mike@andersonadvocates.com therese@andersonadvocates.com,erin@andersonadvocates.com
Michael Finnegan on behalf of Notice of Appearance Creditor Jeff Anderson & Associates mike@andersonadvocates.com therese@andersonadvocates.com,erin@andersonadvocates.com
Michael Watson on behalf of Creditor Certain Sexual Abuse Claimants mwatson@thematthewslawfirm.com
Michael Watson on behalf of Notice of Appearance Creditor Sexual Abuse Survivor/Creditor mwatson@thematthewslawfirm.com
Michael A. Weishaar on behalf of Notice of Appearance Creditor Jeff Anderson & Associates rbg_gmf@hotmail.com r48948@notify.bestcase.com,gmweefaltermate@gmail.com,bankruptcy@gmlaw.com
Michael J Grygiel on behalf of Interested Party Gannett Co. Inc. grygielm@gtlaw.com, alblitdock@gtlaw.com,alblitsupport@gtlaw.com, caponev@gtlaw.com
Miranda Turner on behalf of Interested Party Continental Insurance Company mturner@crowell.com
Mitchell Garabedian on behalf of Creditor VJR 41 mgarabedian@garabedianlaw.com
Mitchell Garabedian on behalf of Creditor SHC-MG-2 Doe mgarabedian@garabedianlaw.com
Mitchell Garabedian on behalf of Creditor DG 278 mgarabedian@garabedianlaw.com
Mitchell Garabedian on behalf of Creditor SM 247 mgarabedian@garabedianlaw.com
Mitchell Garabedian on behalf of Creditor BB 44 mgarabedian@garabedianlaw.com
Mitchell Garabedian on behalf of Creditor Victor Rivera mgarabedian@garabedianlaw.com
Mitchell Garabedian on behalf of Creditor Carol Dupre mgarabedian@garabedianlaw.com
Mitchell Garabedian on behalf of Creditor MS 275 mgarabedian@garabedianlaw.com
Mohammad Tehrani on behalf of Interested Party London Market Insurers mtehrani@duanemorris.com
Nathan W. Reinhardt on behalf of Interested Party London Market Insurers nreinhardt@duanemorris.com
Nathaniel Foote on behalf of Creditor Thomas David Adams nate@vca.law

Nathaniel Foote on behalf of Attorney Nathaniel Lucas Foote nate@vca.law

Paul L. Leclair on behalf of Notice of Appearance Creditor St. Bernard's School of Theology and Ministry pleclair@adamsleclair.law arichardson@adamsleclair.law

Peter Garthwaite on behalf of Interested Party London Market Insurers peter.garthwaite@clydeco.com

Peter Garthwaite on behalf of Defendant Tenecom Limited peter.garthwaite@clydeco.com

Peter P. McNamara on behalf of Interested Party Interstate Fire and Casualty Company peter.mcnamara@rivkin.com

Peter P. McNamara on behalf of Interested Party National Surety Corporation peter.mcnamara@rivkin.com

Peter P. McNamara on behalf of Defendant Interstate Fire & Casualty Company peter.mcnamara@rivkin.com

Peter P. McNamara on behalf of Defendant National Surety Corporation peter.mcnamara@rivkin.com

Renee E. Franchi on behalf of Creditor Thomas David Adams renee@vca.law

Robert P. Arnold on behalf of Defendant Colonial Penn Insurance Company rarnold@walkerwilcox.com MZaiko@walkerwilcox.com

Robert P. Arnold on behalf of Notice of Appearance Creditor Colonial Penn Insurance Company rarnold@walkerwilcox.com MZaiko@walkerwilcox.com

Russell Webb Roten on behalf of Defendant Interstate Fire & Casualty Company RWRoten@duanemorris.com

Russell Webb Roten on behalf of Interested Party Interstate Fire and Casualty Company RWRoten@duanemorris.com

Russell Webb Roten on behalf of Defendant Certain London Market Companies RWRoten@duanemorris.com

Russell Webb Roten on behalf of Interested Party London Market Insurers RWRoten@duanemorris.com

Russell Webb Roten on behalf of Interested Party Certain Underwriters at Lloyd's London RWRoten@duanemorris.com

Sam A Elbadawi on behalf of Interested Party First State Insurance Company selbadawi@sugarmanlaw.com

Samrah Mahmoud on behalf of Interested Party Interstate Fire and Casualty Company samrah.mahmoud@troutman.com

Sara C. Temes on behalf of Debtor The Diocese of Rochester stemes@bsk.com CourtMail@bsk.com;kdoner@bsk.com

Scott Michael Duquin on behalf of Creditor John Doe 3 sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin on behalf of Creditor M. B. sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin on behalf of Creditor Michael Crespo sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin on behalf of Creditor Daniel Regan sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin on behalf of Creditor D. S. sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin on behalf of Creditor D S sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin on behalf of Creditor B. M. sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin on behalf of Creditor M. P. sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin on behalf of Creditor Certain Sexual Abuse Claimants sduquin@hoganwillig.com smdlaw27@gmail.com
Scott Michael Duquin on behalf of Creditor J. O. sduquin@hermanlaw.com smdlaw27@gmail.com
Scott Michael Duquin on behalf of Creditor T. G. sduquin@hermanlaw.com smdlaw27@gmail.com
Scott Michael Duquin on behalf of Creditor Daniel Crespo sduquin@hermanlaw.com smdlaw27@gmail.com
Scott Michael Duquin on behalf of Creditor J. F. sduquin@hermanlaw.com smdlaw27@gmail.com
Shannon Anne Scott on behalf of U.S. Trustee William K. Harrington shannon.scott2@usdoj.gov
Shirley S. Cho on behalf of Creditor Committee Official Committee of Unsecured Creditors scho@pszjlaw.com
Siobhain Patricia Minarovich on behalf of Defendant Interstate Fire & Casualty Company siobhain.minarovich@rivkin.com
Siobhain Patricia Minarovich on behalf of Interested Party National Surety Corporation siobhain.minarovich@rivkin.com
Siobhain Patricia Minarovich on behalf of Interested Party Interstate Fire and Casualty Company siobhain.minarovich@rivkin.com
Siobhain Patricia Minarovich on behalf of Defendant National Surety Corporation siobhain.minarovich@rivkin.com
Sommer L. Ross on behalf of Interested Party London Market Insurers slross@duanemorris.com
Stephen Boyd on behalf of Notice of Appearance Creditor 1 - Doe AB sboyd@steveboyd.com rmatuzic@steveboyd.com
Stephen Boyd on behalf of Creditor Certain Sexual Abuse Claimants sboyd@steveboyd.com rmatuzic@steveboyd.com
Stephen A. Donato on behalf of Plaintiff The Diocese of Rochester sdonato@bsk.com ayerst@bsk.com;kdoner@bsk.com;CourtMail@bsk.com
Stephen A. Donato on behalf of Debtor The Diocese of Rochester sdonato@bsk.com ayerst@bsk.com;kdoner@bsk.com;CourtMail@bsk.com
Stephenie Lannigan Bross on behalf of Creditor claimant 496 sbross@sssfir.com
Stephenie Lannigan Bross on behalf of Creditor claimant 434 sbross@sssfir.com
Stephenie Lannigan Bross on behalf of Creditor claimant 557 sbross@sssfir.com
Stephenie Lannigan Bross on behalf of Creditor claimant 480 sbross@sssfir.com
Stephenie Lannigan Bross on behalf of Creditor claimant 527 sbross@sssfir.com
Stephenie Lannigan Bross on behalf of Creditor claimant 468 sbross@sssfir.com
Stephenie Lannigan Bross on behalf of Creditor claimant 481 sbross@sssfir.com
Stephenie Lannigan Bross on behalf of Creditor claimant 485 sbross@sssfir.com
Stephenie Lannigan Bross on behalf of Creditor claimant 274 sbross@sssfir.com
Steve Phillips on behalf of Creditor LCVAWCR-DOE sphillips@p2law.com
Steve Phillips on behalf of Creditor LCVAWCR DOE sphillips@p2law.com
Steven D. Allison on behalf of Interested Party Interstate Fire and Casualty Company steven.allison@troutman.com tracey.cantu@troutman.com

Stuart S. Mermelstein on behalf of Creditor Claimants smermelstein@hermanlaw.com

Timothy Patrick Lyster on behalf of Interested Party Ad Hoc Parish Committee tlyster@woodsoviatt.com mjohnstone@woodsoviatt.com

Timothy Patrick Lyster on behalf of Notice of Appearance Creditor Ad Hoc Parish Committee tlyster@woodsoviatt.com mjohnstone@woodsoviatt.com

Timothy W. Burns on behalf of Special Counsel Burns Bowen Bair LLP tburns@bbblawllp.com kdempski@burnsbair.com

Timothy W. Burns on behalf of Notice of Appearance Creditor Official Committee of Unsecured Creditors tburns@burnsbair.com kdempski@burnsbair.com

Timothy W. Burns on behalf of Creditor Committee Official Committee of Unsecured Creditors tburns@bbblawllp.com kdempski@burnsbair.com

Todd C. Jacobs on behalf of Defendant Interstate Fire & Casualty Company tjacobs@phrd.com ssnead@phrd.com

Todd C. Jacobs on behalf of Interested Party National Surety Corporation tjacobs@phrd.com ssnead@phrd.com

Todd C. Jacobs on behalf of Interested Party Interstate Fire and Casualty Company tjacobs@phrd.com ssnead@phrd.com

Todd C. Jacobs on behalf of Defendant National Surety Corporation tjacobs@phrd.com ssnead@phrd.com

Victoria Phillips on behalf of Creditor LCVAWCR-DOE vphillips@p2law.com

William Henry Gordon on behalf of Creditor Carol Dupre wgordon@garabedianlaw.com

TOTAL: 233

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re:) Case No. 19-20905 (PRW)
THE DIOCESE OF ROCHESTER,) Chapter 11
Debtor.¹)

)

STIPULATION AND ORDER REGARDING SCHEDULING OF VARIOUS MATTERS

It is hereby stipulated and agreed, by and through the undersigned counsel of record for (a) The Diocese of Rochester (the “Diocese” or the “Debtor”), (b) the Official Committee of Unsecured Creditors of the Diocese of Rochester (the “Committee”), and (c) The Continental Insurance Company (“CNA” and, together with the Diocese and the Committee, the “Parties”), as follows:

RECITALS

A. On June 23, 2022, the Diocese filed its *Motion to Approve Proposed Insurance Settlement to Fund Survivor Compensation Trust* (the “Insurance Settlement Motion”) [D.I. 1538].

B. On June 30, 2022, the Committee filed its *Official Committee of Unsecured Creditors’ Objection to Debtor’s Motion to Approve Proposed Insurance Settlements to Fund Survivor Compensation Trust* (the “Committee Insurance Settlement Objection”) [D.I. 1555].

C. On July 22, 2022, the Diocese filed objections to certain claims asserted by Sexual Abuse Claimants (collectively, the “Diocese Claim Objections”) [D.I. 1576–1641, 1643 and 1644].

D. On November 3, 2022, the Debtor filed its *Motion for Entry of an Order (I)*

¹ The Debtor in this chapter 11 case is The Diocese of Rochester, the last four digits of its federal tax identification number are 5765, and its mailing address is 1150 Buffalo Road, Rochester, NY 14624.

Approving the RSA, (II) Authorizing the Diocese to Enter Into and Perform Under the RSA; (III) Approving the Committee Settlement, and (IV) Granting Related Relief (the “RSA Motion”)
[D.I. 1790].

E. On March 23, 2023, CNA filed objections to certain claims asserted by Sexual Abuse Claimants (collectively, the “Initial CNA Claims Objections”) [D.I. 2003-40]. In addition, CNA has advised the Debtor and the Committee that it may file additional objections to certain claims asserted by Sexual Abuse Claimants (the “CNA Additional Claims Objections” and, together with the CNA Claims Objections, the “CNA Claims Objections”).

F. On April 11, 2023, the Committee filed its *Motion of the Official Committee of Unsecured Creditors for Entry of an Order (I) Dismissing Claim Objections Filed by Continental Insurance Company for (A) Lack of Standing or (B) Lack of Jurisdiction or, in the Alternative, (II) Staying the Claim Objections* (the “Committee CNA Claim Standing Motion”) [D.I. 2063].

G. On May 1, 2023, CNA filed its *Continental’s Opposition to Motion of the Official Committee of Unsecured Creditors for Entry of an Order (I) Dismissing Claim Objections Filed by Continental Insurance Company for (A) Lack of Standing or (B) Lack of Jurisdiction or, in the Alternative, (II) Staying the Claim Objections* (the “CNA Claim Standing Objection”) [D.I. 2110].

H. On August 22, 2023, the Committee filed its *Motion of the Official Committee of Unsecured Creditors for an Order Granting Leave, Standing and Authority to Prosecute Certain Causes of Action on Behalf of the Debtor and Its Estate* (the “Committee Derivative Standing Motion”) [D.I. 2203].

I. On October 2, 2023, CNA filed *CNA’s Opposition to Motion for an Order Granting Leave, Standing and Authority to Prosecute Certain Causes of Action on Behalf of the*

Debtor and Its Estate (the “CNA Derivative Standing Opposition”) [D.I. 2249].

J. On September 13, 2023, the Diocese and the Committee filed the *First Amended Joint Chapter 11 Plan of Reorganization for the Diocese of Rochester* Dated September 13, 2023 (the “Joint Plan”) [D.I. 2217] and the Diocese filed the Disclosure Statement related thereto (the “Diocese Disclosure Statement”) [D.I. 2218].

K. Continental filed the *Continental Insurance Company’s First Amended Chapter 11 Plan of Reorganization for the Diocese of Rochester* (the “CNA Plan”) on October 3, 2023 [D.I. 2254] and the Disclosure Statement related thereto (the “CNA Disclosure Statement”) on October 2, 2023 [D.I. 2247].

L. On September 19, 2023, the Court entered its *Case Management Order Directing Parties to Meet and Confer to Formulate Joint Litigation Plan* (the “Case Management Order”) [D.I. 2226].

M. CNA has advised the Debtor and the Committee that it intends to file an adversary proceeding complaint (the “Administrative Treatment Complaint”) and/or an application for administrative expense treatment for a claim (the “Administrative Treatment Application”) based on the Diocese’s alleged breach of its proposed insurance settlement agreement with CNA [D.I. 190-4].

N. The Parties have agreed to a schedule for the litigation of matters set forth above, and the deadlines for discovery that the parties may conduct with respect to certain of the matters set forth above, as follows:

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to approval of the Court, as follows:

1. The Committee Derivative Standing Motion and CNA Derivative Standing

Opposition shall each be withdrawn without prejudice.

2. By no later than **October 30, 2023**, the Committee may submit a motion asking the Court to deny the Insurance Settlement Motion as moot. By no later than **November 22, 2023**, CNA may submit a brief opposing the Committee's motion. A hearing to consider whether the Insurance Settlement Motion should be denied as moot shall be held on **December 8, 2023 at 11:00 a.m.** prevailing Eastern time.

3. If the Court determines that the Insurance Settlement Motion should not be denied as moot, the hearing to consider the Insurance Settlement Motion shall be adjourned to the same date as the confirmation hearing. Notwithstanding any decision concerning whether the Insurance Settlement Motion should be denied as moot, all Parties reserve all rights concerning the Insurance Settlement Motion and the settlement agreement and related documentation.

4. CNA shall file the Administrative Treatment Complaint and/or the Administrative Treatment Application, if at all, by not later than **November 7, 2023**. The Debtor and the Committee may each submit separate consolidated motions to dismiss the Administrative Treatment Complaint and to disallow the Administrative Treatment Application as a matter of law (the "Administrative Treatment Objection") by not later than **December 22, 2023**. CNA may submit an opposition to the Administrative Treatment Objection by not later than **January 16, 2024**. A hearing to consider whether the Administrative Treatment Objection should be granted or denied shall be held on **January 30, 2024 at 11:00 a.m.** prevailing Eastern time.

5. Unless the Court determines that the Administrative Treatment Objections should be sustained in their entirety, the hearing to consider the Administrative Treatment Complaint and the Administrative Treatment Application shall be adjourned to the same date as the confirmation hearing. Nothing in this Order shall preclude any Party from filing a motion to estimate the amount, if any, of CNA's Administrative Treatment Complaint and/or the Administrative

Treatment Application (the “**Motion to Estimate**”). If a Motion to Estimate is filed no later than **January 30, 2024**, it shall be heard at the same date as the confirmation hearing. The Parties may seek discovery on issues concerning any anticipated Motion to Estimate beginning on the date specified in ¶12(a) below; provided, however, that nothing herein shall preclude any party from seeking supplemental discovery concerning any Motion to Estimate after such motion is filed.

6. The Diocese shall file a motion (the “**Diocese DS Motion**”) seeking approval of the Diocese Disclosure Statement and procedures for voting on the Joint Plan no later than **October 25, 2023**.

7. CNA shall file a motion (the “**CNA DS Motion**” and, with the Diocese DS Motion, the “**DS Motions**”) seeking approval of the CNA Disclosure Statement and procedures for voting on the CNA Plan no later than **October 25, 2023**.

8. A hearing on the DS Motions shall be held on **December 19, 2023 at 11:00 a.m.** prevailing Eastern time. Prior to the hearing, the Parties shall meet and confer to attempt to streamline the voting process. The deadline for any party to object to the DS Motions shall be **December 5, 2023**. The deadline for Parties to file responses to any objections to the DS Motions shall be **December 12, 2023**.

9. The following motions (collectively, the “**Adjourned Matters**”) shall be adjourned without date, subject to both the other provisions of this Order and any Party’s right to seek consideration of any such motion on a date that is no earlier than **15 days** after completion of the hearings on the approval of the Joint Plan and the CNA Plan. After the expiration of the **15-day** period, the Parties may then request the Court to set a status conference to address any or all of the Adjourned Matters:

- a. the CNA Claims Objections;
- b. the Committee CNA Claims Standing Motion;

- c. the RSA Motion; and
- d. the Diocese Claim objections.

10. The Parties may amend their respective plans to provide treatment for any of the Adjourned Matters, including dismissal thereof upon confirmation of such plan.

11. The Court shall schedule a hearing to consider confirmation of a plan or plans at the hearing on the DS Motions. Such hearing shall be on no less than **95 days'** notice after completion of the hearing on the DS Motions.

12. The parties shall apply the following discovery process for the hearing on (a) confirmation of the Parties' respective plans, (b) the Insurance Settlement Motion (if it has not previously been denied as moot), (c) the Administrative Treatment Complaint, the Administrative Treatment Application (if the Administrative Treatment Objection has not previously been sustained to an extent that makes litigation of CNA's request for an administrative claim unnecessary), and (d) the Motion to Estimate:

a. Initial Disclosures. Unless otherwise agreed to by the Parties, the Parties shall make their initial disclosures pursuant to FED. R. CIV. P. 26(a)(1) by the date that is **15 days** before the scheduled hearing on the DS Motions.

b. Discovery.

i. Initiation of Fact Discovery. The Parties may initiate fact discovery by the date that is **15 days** before the scheduled hearing on the DS Motions.

ii. Fact Discovery Cut-Off. All fact discovery in this matter shall be initiated so that it will be completed on or before **60 days** prior to the confirmation hearing.

iii. Disclosure of Expert Testimony.

1. Expert Reports. For the party who has the initial burden of proof on the subject matter, the initial FED. R. CIV. P. 26(a)(2) disclosure of expert testimony is due on or before **53 days** prior to the confirmation hearing. Any rebuttal reports shall be due **39 days** prior to the confirmation hearing. Reply expert reports from the party with the initial burden of proof are due on or before **25 days** prior to the confirmation hearing, and shall be limited to those issues (if any) raised for the first time in the opposing party's rebuttal report(s). No other expert reports will be permitted without either the consent of all parties or leave of the Court. Along with the submissions of the expert reports, the parties shall advise of the dates and times of their experts' availability for deposition.
2. All expert depositions shall be completed **14 days** prior to the confirmation hearing.
3. Objections to Expert Testimony. To the extent any objection to expert testimony is made pursuant to the principles announced in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993), as incorporated in FED. R. EVID. 702, it shall be made by motion no later than **3 days** prior to the confirmation hearing, unless otherwise ordered by the Court. Such motions will be considered at the confirmation hearing.

13. Parties may file briefs in support of or opposition to confirmation of the CNA Plan

or the Joint Plan no later than **14 days** prior to the confirmation hearing. Reply briefs may be filed no later than **7 days** prior to the confirmation hearing.

14. If the outcome of voting on either plan would be impacted by allowance or disallowance of the Claims Objections, then the Court shall adjourn the confirmation hearing for a period of no less than **60 days** to allow parties to litigate the Claims Objections. The parties shall meet and confer regarding a separate scheduling order with respect to litigation of the Claims Objections. If the parties cannot agree, the Court will issue a scheduling order for such litigation. Any scheduling order regarding the Claims Objections shall provide for a hearing on the Committee CNA Claims Standing Motion.

15. Nothing in this Order shall modify, waive, or impact the Parties' rights concerning any of the Adjourned Matters before this Court or any issues concerning approval of the Diocese Disclosure Statement or the CNA Disclosure Statement or confirmation of either the Joint Plan or the CNA Plan, including the rights of CNA to object to confirmation of the Joint Plan on the basis that certain determinations, including, but not limited to, any determination as to the propriety of the Stipulated Judgments referred to in the Joint Plan, including whether Stipulated Judgments can be approved pursuant to Bankruptcy Rule 9019, must be decided in the "Insurance Adversary Proceeding" (Adv. Proc. No. 2-19-02021-PRW) and not as part of a contested matter involving plan confirmation or a motion under Rule 9019.

16. Nothing in this Order (a) precludes the Parties from jointly requesting modification of the dates set forth in this Order or any other provision of this Order or (b) precludes any single Party from requesting, for good cause shown, an extension of the dates set forth in this Order or modification of any other provision of this Order. If Debtor, the Committee, or any other party-in-interest challenges, through a separate motion or application, CNA's standing to file a disclosure statement or plan, seek confirmation of the CNA Plan, or object to the Diocese Disclosure

Statement or the Joint Plan (collectively, “CNA Standing”), the Court shall adjust the schedule set forth in this Order to the extent necessary and appropriate. For the avoidance of doubt, any objection or opposition to CNA Standing may be raised in any objection, response or pleading regarding approval of a disclosure statement or confirmation of a plan without effect on the schedule set forth in this Order.

17. The Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

BOND, SCHOENECK & KING, PLLC

By: /s/ Stephen A. Donato
Stephen A. Donato
Charles J. Sullivan
Grayson T. Walter
One Lincoln Center
Syracuse, NY 13202-1355
Telephone: (315) 218-8000
Fax: (315) 218-8100
Emails: sdonato@bsk.com
csullivan@bsk.com
gwalter@bsk.com

Attorneys for The Diocese of Rochester

PACHULSKI STANG ZIEHL & JONES LLP

By: /s/ Ilan D. Scharf

James I. Stang (admitted *pro hac vice*)

Ilan D. Scharf

Iain A.W. Nasatir

Brittany M. Michael

780 Third Avenue, 36th Floor

New York, NY 10017-2024

Telephone: (212) 561-7700

Facsimile: (212) 561-7777

Email: jstang@pszjlaw.com

Email: ischarf@pszjlaw.com

Email: inasatir@pszjlaw.com

Email: bmichael@pszjlaw.com

*Counsel for the Official Committee
of Unsecured Creditors of The Diocese of Rochester*

BURNS BAIR LLP

Timothy W. Burns

Jesse J. Bair

10 E. Doty St., Suite 600

Madison, Wisconsin 53703

Telephone: 608-286-2808

Email: tburns@burnsbair.com

jbair@burnsbair.com

*Special Insurance Counsel to the Official
Committee of Unsecured Creditors of The Diocese
of Rochester*

BARCLAY DAMON LLP

By: /s/ Mark D. Plevin

Jeffrey A. Dove

Barclay Damon Tower

125 East Jefferson Street

Syracuse, New York 13202

Telephone: (315) 413-7112

Facsimile: (315) 703-7346

jdove@barclaydamon.com

Mark D. Plevin
CROWELL & MORING LLP
Three Embarcadero Center, 26th Floor
San Francisco, California 94111
Telephone: (415) 986-2800
mplevin@crowell.com

David Christian
DAVID CHRISTIAN ATTORNEYS LLC
105 West Madison Street, Suite 1400
Chicago, Illinois 60602
Telephone: (312) 282-5282
dchristian@dca.law

Miranda H. Turner
CROWELL & MORING LLP
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004
Telephone: (202) 624-2500
mturner@crowell.com

*Attorneys for The Continental Insurance Company,
successor by merger to Commercial Insurance
Company of Newark, New Jersey and Firemen's
Insurance Company of Newark, New Jersey*

SO ORDERED:

Dated: October 23, 2023
Rochester, New York

/s/
THE HONORABLE PAUL R. WARREN
U.S. BANKRUPTCY JUDGE